

DO NOT ENTER: /JLS/

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: August 7, 2008

Signature: /Christina M. Sperry/
(Christina M. Sperry, Reg. No. 47,106)

Docket No.: 101896-0240
(DEP5278)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Paul Birkmeyer et al.

Application No.: 10/708,721

Confirmation No.: 2720

Filed: March 19, 2004

Art Unit: 3733

For: SPINAL FIXATION ELEMENT AND
METHODS

Examiner: J. L. Swiger

RESPONSE TO FINAL OFFICE ACTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

INTRODUCTORY COMMENTS

This paper is in response to the Office Action dated July 11, 2008.

Remarks/Arguments begin on page 2 of this paper. No claim amendments are made.

/James L. Swiger/

09/30/2008